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8 Attorneys for Intervenors

9 MONTANA FIRST JUDICIAL DISTRICT COURT, LEWIS AND CLARK COUNTY

10 FT. HARRISON VETERANS RESIDENCE,
11 Limited Partnership,,
12

13 Petitioner,

14 v.

15 MONTANA BOARD OF HOUSING

16 Respondent.

17 CENTER STREET LP, SWEET GRASS
18 APARTMENTS LP, SOROPTOMIST
19 VILLAGE LP, FARMHOUSE PARTNERS-
20 HAGGERTY LP and PARKVIEW VILLAGE
21 LLP,
22

23 Intervenors.

Case No. DDV 2012-356

AFFIDAVIT OF Buffalo Grass Apartments,
LLLP

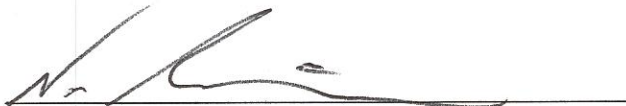
24 The undersigned, under oath, does hereby swear or affirm:

- 25 1. I am the President of BlueLine Development, Inc... BlueLine Development, Inc. on
26 behalf of Buffalo Grass Apartments, LLLP is an applicant for 2013 Low Income
27 Housing Tax Credits in Montana.
- 28 2. Buffalo Grass Apartments, LLLP was formed by BlueLine Development, Inc. to
29 develop and own a rental property. Said property is to be developed with Low
30 Income Housing Tax Credits ("LIHTC") in Cut Bank, Montana.
- 31 3. BlueLine Development, Inc. was created last May for the purpose of developing
32 affordable rental housing. Our primary focus has been on small, rural and
33 underserved communities.

- 1 4. Buffalo Grass Apartments, LLLP has applied for \$259,000 in LIHTCs for the 2013
2 year. On or before January 18th, 2013 a complete application was submitted to the
3 Montana Board of Housing.
4 5. In reliance upon the publish and approved 2013 Montana Qualified Allocation Plan
5 Buffalo Grass Apartments, LLLP has incurred costs comprised Application Fees of
6 \$3,885 third-party costs in excess of \$5,510 and additional developer time and travel
7 costs have exceeded \$5,000.
8 6. It is wholly our intention and desire to comply with all conditions set forth in the
9 2013 Qualified Application Plan.
10 7. Due to various factors, including a decrease in the value of the floating LIHTC
11 interest rate, should an issuance of a hypothetical stay or injunction prevent Montana
12 Board of Housing from allocating LIHTC while the case is under review cost Buffalo
13 Grass Apartments, LLLP approximately \$381,487.68.
14 8. Buffalo Grass Apartments, LLLP has entered into a Purchase and Sale Agreement for
15 the property to be developed with an intended closing date of February 3, 2014.
16 9. Should Buffalo Grass Apartments, LLLP miss the closing date due to the uncertainty
17 of a stay or injunction, the entire project will be put in jeopardy.
18 10. If the 2013 QAP is stopped or delayed, the results will be catastrophic. The project
19 will no longer be financially viable and will not be completed.

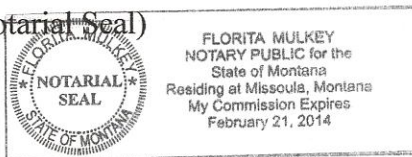
20 Further Affiant Sayeth Not.

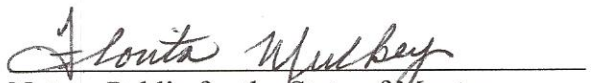
21 DATED this 24th day of January, 2013.

22 

23 Subscribed and sworn to before me by NATHAN RICHMOND this 24th
24 day of January, 2013.

25 (Notarial Seal)



26 
27 Notary Public for the State of Montana
Printed Name: FLORITA MULKEY
Residing at: MISSOULA MT.
Commission expires: 2-21-2014

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on the _____ day of _____, 2013, a true copy of the
3 foregoing was mailed by first-class mail, postage prepaid, addressed as follows:

4 Michael Green
5 Crowley Fleck, PLLP
6 100 N. Park Ave., Ste. 300
7 P.O. Box 797
8 Helena, MT 59624-0797
9

10 BROWNING, KALECZYC, BERRY & HOVEN, P.C.
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